

SENATE BILL No. 29

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-16-6-1.

Synopsis: Overtime wages and child support in dissolution actions. Provides that a court may not consider income from overtime work when setting child support, except when issuing a final dissolution decree.

Effective: July 1, 1999.

Paul

January 6, 1999, read first time and referred to Committee on Judiciary.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 29

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-16-6-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) In an action for
3 dissolution of marriage under IC 31-15-2, legal separation under
4 IC 31-15-3, or child support under IC 31-16-2, the court may order
5 either parent or both parents to pay any amount reasonable for support
6 of a child, without regard to marital misconduct, after considering all
7 relevant factors, including:

8 (1) the financial resources of the custodial parent;

9 (2) the standard of living the child would have enjoyed if:

10 (A) the marriage had not been dissolved; or

11 (B) the separation had not been ordered;

12 (3) the physical or mental condition of the child and the child's
13 educational needs; and

14 (4) the financial resources and needs of the noncustodial parent.

15 (b) **Except when entering a final dissolution decree under**
16 **IC 31-15-2-16, the court may not consider income earned from**
17 **overtime when establishing the amount of a child support order in**



1 **an action for dissolution of marriage.**

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